

Assembly Bill No. 611

Passed the Assembly May 14, 2009

Chief Clerk of the Assembly

Passed the Senate August 31, 2009

Secretary of the Senate

This bill was received by the Governor this _____ day
of _____, 2009, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to add Section 8588.16 to the Government Code, relating to emergency services.

LEGISLATIVE COUNSEL'S DIGEST

AB 611, Fong. Emergency services: populations with limited English proficiency.

Existing law, the California Emergency Services Act, requires the California Emergency Management Agency to coordinate the emergency services of all state agencies in connection with emergencies, and to establish a standardized emergency management system for use by all emergency response agencies.

This bill would require the Secretary of California Emergency Management to consider the multiple languages and needs of populations who have limited proficiency in the English language during emergency preparedness planning, response, and recovery. The bill would also require the secretary to work in collaboration with ethnic media and ethnic community-based organizations in developing communication strategies about alert and warning information, and to use a registry of qualified bilingual persons in public contact positions, as defined, to assist in emergency preparedness, response, and recovery, as the secretary deems necessary.

The people of the State of California do enact as follows:

SECTION 1. The Legislature hereby finds and declares all of the following:

(a) Approximately 40 percent of the population in this state speaks a language other than English at home. According to the United States Department of Justice, individuals with limited proficiency in English are those who have a limited ability to read, write, speak, or understand English. In this state, more than 6,000,000 residents have limited proficiency in English.

(b) Recent disasters have highlighted the vulnerabilities of individuals during an emergency who have limited proficiency in English. At least 19,641 individuals within the Hurricane Katrina

and Hurricane Rita disaster areas spoke English with difficulty, and a report presented to the Congressional Asian Pacific American Caucus, highlighted the lack of evacuation orders during the Hurricane Katrina disaster in any language other than English, leaving individuals with limited proficiency in English vulnerable.

(c) In this state, wildfires in southern California struck parts of cities having a significant population of individuals with limited proficiency in English, potentially affecting almost 300,000 such individuals. News reports highlighted the frustration and confusion during evacuations for individuals unable to understand English.

(d) The Milton Marks “Little Hoover” Commission on California State Government Organization and Economy has also highlighted the need for developing plans to ensure that the needs of vulnerable populations, including those with limited proficiency in English, will be met during a catastrophe.

(e) This state, with its extraordinary language diversity, must take steps to ensure emergency preparedness, response, and recovery to address the needs of individuals with limited proficiency in English.

SEC. 2. Section 8588.16 is added to the Government Code, to read:

8588.16. (a) (1) The Secretary of California Emergency Management shall take into consideration the multiple languages and the needs of populations with limited English proficiency during emergency preparedness planning, response, and recovery, including when developing committee recommendations within the Standardized Emergency Management System structure, drafting guidance for local and regional governmental entities, and reviewing emergency plans of state, regional, and local governmental entities.

(2) Documents drafted for the purposes described in paragraph (1) that are intended for emergency responders, including, but not limited to, governmental entities do not have to be translated.

(3) Nothing in this section shall be construed to require changes to existing documents until the time they are normally updated or revised.

(b) The Secretary of California Emergency Management shall work in collaboration with ethnic media and ethnic community-based organizations in developing communication strategies so that alert and warning information sent to these entities

can be more broadly disseminated to populations with limited English proficiency.

(c) The Secretary of California Emergency Management shall utilize a registry of qualified bilingual persons in public contact positions, as defined in Sections 7296 and 7297, to assist with emergency preparedness, response, and recovery pursuant to Section 8595, as the secretary deems necessary.

(d) The Secretary of California Emergency Management shall incorporate the needs of populations with limited English proficiency in the curricula and scenarios related to critical emergency preparedness, response, and recovery training and exercises, including the exercises identified in the statewide exercise strategy and those related to crisis communications. For other training and exercises, the needs of the populations with limited English proficiency shall be incorporated to the extent reasonable.

Approved _____, 2009

Governor